

UNITED STATES DISTRICT COURT
 for the
 Southern District of Texas

United States Courts
 Southern District of Texas
 FILED

July 28, 2023

United States of America)
 v.)
 Fabiola Eloisa Ruedas Vasquez)

) Case No. **4:23-mj-1529**

Nathan Ochsner, Clerk of Court

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 26th, 2023 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

8 U.S.C. § 1326 (a) (b)(2)

Offense Description

a native and citizen of Mexico, and an alien who had been previously deported from the United States, subsequent to having been convicted of a crime defined as an aggravated felony, was found unlawfully in the United States at Houston, Texas, the said defendant having not obtained the consent before March 2003 from the Attorney General of the United States to reapply for admission into the United States; and without having obtained corresponding consent after February 2003 from the Secretary of Homeland Security pursuant to 6 U.S.C. §§ 202(3) and (4) and 6 U.S.C. § 557,

This criminal complaint is based on these facts:

See Attached Affidavit in support of the Criminal Complaint

Continued on the attached sheet.



Complainant's signature

Daniel Chagoya, ICE Deportation Officer

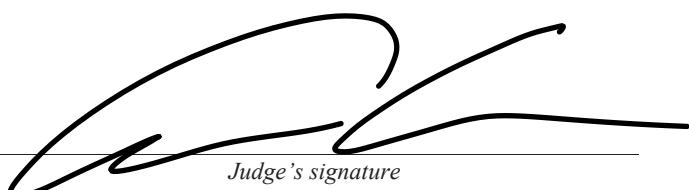
Printed name and title

Sworn to me telephonically.

Date: 07/28/2023

City and state: Bear, ORC

Houston, Texas



Judge's signature

Andrew M. Edison, United States Magistrate Judge

Printed name and title

4:23-mj-1529**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

I, Daniel I, Chagoya, being duly sworn telephonically, hereby depose and say:

(1) I am a Deportation Officer with the United States Immigration and Customs Enforcement (“ICE”) and have served in that capacity since November 9, 2008. My law enforcement career began September 18, 2005, as a Customs and Border Protection Officer. I held this position until transferring to Immigration and Customs Enforcement as a Deportation Officer. I currently have over 17 years of immigration law enforcement experience.

(2) On June 26th, 2023, at 1930 hrs., Fabiola Eloisa Ruedas-Vasquez (“Defendant”) was detained by ICE.

(3) The Defendant’s fingerprints have been taken and electronically submitted to various law enforcement databases. According to the Integrated Automated Fingerprint Identification System (IAFIS), the Defendant is the same individual as the person referred to in this Affidavit as having been previously deported and convicted.

(4) Based upon the information from ICE’s records as described below, and my training and experience, I submit that there is probable cause to believe that the Defendant is in violation of 8 U.S.C. § 1326(a) and (b)(2).

(5) Element One: The Defendant is a citizen and national of Mexico and not a native, citizen or national of the United States.

(6) Element Two: The Defendant has previously been deported or removed from the United States on the following occasions:

- a. Removed 02/19/2015
- b. Removed 01/22/2014

(7) Element Three: After deportation, the Defendant was subsequently found in the United States on July 26, 2023, at Houston, Texas, which is within the Southern District of Texas. Specifically, the Defendant was found in Harris County, which is in within the Houston Division of the Southern District of Texas.

(8) Element Four: The Defendant did not have permission to reenter the United States. On July 26, 2023, I reviewed the contents of the Alien File associated with this Defendant and/or available database information. I found no indication that the Defendant has ever received permission from the Attorney General of the United States, or the Secretary of the Department of

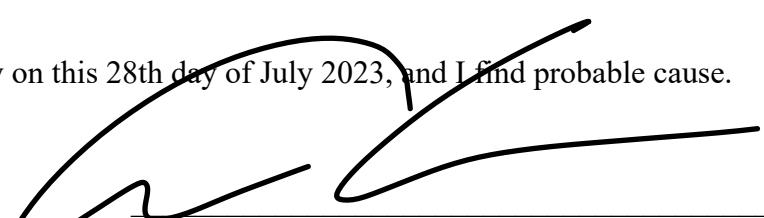
Homeland Security, to apply for admission to the United States following deportation from the United States. I have requested certification of this fact from the Records Branch of the Immigration Service.

- (9) Prior Criminal History. The Defendant has the following prior criminal history:
- a. On June 23rd, 2014, the Defendant was convicted in the United States District Court of Southern Texas for the offense 1326(a)(b) and sentenced to 14 months confinement.
 - b. On February 8th, 2008, the Defendant was convicted in the Harris County District Court for the offense of Aggravated Assault with deadly weapon and sentenced to 2 years confinement.
- (10) On July 28th, 2023, I contacted the U.S. Attorney's Office, Southern District of Texas, Houston Division, concerning this criminal complaint. On or about that day, Assistant U.S. Attorney Colton Turner (956) 566-1263 accepted this case for prosecution for a violation of 8 U.S.C. § 1326(a) and (b)(2).



Daniel I. Chagoya, Deportation Officer
United States Department of Homeland Security
U.S. Immigration & Customs Enforcement

Sworn to me telephonically on this 28th day of July 2023, and I find probable cause.



Hon. Andrew M. Edison
United States Magistrate Judge
Southern District of Texas